a.8.2002

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IN THE HIGH COURT OF JUDICATURE AT BILASPUR, C.G.

WRIT PETITION NO. 2290 /2004

(Petition under article 226/227 of the Constitution of India)

PETITIONERS :

1) Madanlal Kawde, aged about 45 years, S/o Dhiraju Kawde at present working as a Assistant Teacher, Balak Ashram, Vedma School, Bikas Khand Orchha, Distt. Bastar, C.G.

2) Ram Asra Netam, aged about 38 years, S/o Bhagirati Netam, at present working as a Assistant Teacher, Boys Ashram, Nednar, Narayanpur, Distt. Bastar, C.G.

P. R. No. 2284/04
Presented by Shri J. Jitendra Gupta
Dated 29-7-04

VERSUS

RESPONDENTS :

1) State of Chhattisgarh through the Secretary, Tribal Welfare department. D.K.S. Bhawan, Raipur,

2) Commissioner, Tribal Welfare Department, State of Chhattisgarh Raipur, C.G.

3) Director, Tribal Welfare Department, State of Chhattisgarh, Raipur C.G.

4) The Principal, boys Ashram, Bedma, Vikas Khand Orchha, Distt. Bastar, C.G.

5) Principal, boys Ashram Nednar, Tahsil, Narayanpur, Distt. Bastar, C.G.

6) Block Development Education Officer, Kanker, Distt. Kanker, C.G.

7) Principal, Primary School Munjalgodi, Narharpur, Distt. Kanker, C.G.

25/7/04

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29/7/04
Clerk to A. G. Bilaspur

(4)

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WRIT PETITION UNDER ARTICLE 226/227 OF THE CONSTITUTION OF INDIA FOR ISSUANCE OF APPROPRIATE WRITS, ORDERS AND DIRECTONS ETC.

XI-HC-22

(36)

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

आदेश पत्रक

मामला क्रमांक W.P. No. 2290/2004 सन् 200

विरुद्ध

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश

20-8-2004

Petitioner by Shri Vishnu Kohita, Advocate.

State by Shri V.V.S. Murthy, Dy. Advocate General.

Heard.

This batch of cases relate to transfer of the petitioners from their respective places.

Counsel for the petitioners submitted that the transfer of the petitioners has been effected illegally in contravention of law and policy. State counsel opposed it.

State counsel submitted that the petitioners have straightway filed the petitions without serving notice for demand of justice and representation.

Having heard and considered the rival contentions, without expressing any opinion on the merits of the case, in the opinion of this Court, ends of justice will be served if a direction is given to the petitioners to make detailed representation raising their grievances and grounds before the State Government/competent authority of the respondents along with a copy of the petition and this order, within 10 days, and on such representation being filed, the State Government/competent authority of the respondents under the law, shall consider and decide the same on its own merits in accordance with law as early as possible preferably within six weeks from the date of receipt/production of the representation. If any contravention of policy or guidelines is brought to the notice, the same be considered on its own merits.

Counsel for the petitioners pray that after the decision of the representation if any grievance of the petitioners remains, they may be allowed to avail the remedy available under the law. They may avail the remedy available under the law.

With the aforesaid observations, this petition stands disposed of.

Consequently M.W.P., if any, also stands disposed of.

Certified copy as per rules.

Copy to State counsel for compliance.

Sd/-
Fakhruddin
Judge

Pathak